

COMPREHENSIVE TEST BAN TREATY

Statement by Senator Pete V. Domenici

October 12, 1999

Mr. President, I believe that the Senate has embarked on a dangerous course with the scheduled debate and vote on the Comprehensive Test Ban Treaty. The timing of these actions could not possibly be worse Cboth for proponents and opponents of this Treaty.

I would like to be in favor of this Treaty. But I cannot favor any Treaty that jeopardizes U.S. security. At the same time, rejecting this Treaty is just as risky.

Mr. President, there are four main concerns that speak against ratification: first, the nascent stage of the Stockpile Stewardship Program; second, the difficulty of securing full funding for that program; third, the unknown impact of the reorganization at the Department of Energy on stewardship efforts; and lastly, the ambiguities in threats to international security at present.

When the U.S. declared a unilateral moratorium on testing in 1992, the onus was on the scientists in our national laboratories to design and implement a program that would ensure the Asafety, reliability and performance@of our nuclear arsenal without testing. This is an onerous, complicated task that has yet to be fully implemented and validated.

Science Based Stockpile Stewardship was designed to replace nuclear tests through increased understanding of nuclear physics in conjunction with unprecedented simulation capabilities. This requires a lot of money. In fact, full implementation of the Stockpile

Stewardship program is more expensive than reliance on nuclear tests. In addition, the validity of this approach remains unproven and key facilities, such as the National Ignition Facility, are behind schedule and over budget.

The Stockpile Stewardship program will attempt to preserve the viability of existing weapons indefinitely. We no longer possess the production capabilities to replace these weapons. Currently, seven highly sophisticated warhead designs comprise our arsenal. Each weapon contains thousands of components, all of which are subject to decay or corrosion over time. Any small flaw in any individual component could render the weapon ineffective. In addition, because we intend to preserve, rather than replace, these weapons with new designs, aging effects on these weapons remain to be seen.

As suggested by Dr. Paul Robinson of Sandia National Laboratories, "Confidence in the reliability and safety of the U.S. nuclear weapons stockpile will eventually decline without nuclear testing....Whether the risk that will arise from this decline in confidence will be acceptable or not is a policy issue that must be considered in light of the benefits expected to be realized by a universal test ban."

Are we ready today to accept a decline in confidence of our nuclear deterrent? Can we today accurately weigh the benefits on either side of the issue when Stockpile Stewardship is not yet fully implemented? I do not think so. On the other hand, we risk complete collapse of ongoing disarmament initiatives by prematurely rejecting this Treaty. That's a substantial risk with unknowable consequences.

Success of the Stockpile Stewardship program requires recruiting the best and brightest young scientists to work at our

laboratories. As the original designers and testers of our existing weapons reach retirement age, we must ensure that their knowledge is archived and passed on to the next generation of nuclear weapons experts. It is important to realize that unless the U.S. resumes nuclear testing, many of the scientists responsible for the stewardship of the U.S. arsenal will have never staged, conducted or witnessed a nuclear test. Yet these same scientists will be responsible for ensuring the safety and reliability of our stockpile based on theoretical calculations and computer simulations.

My colleagues know that I had to fight tooth and nail to secure adequate funding for Stockpile Stewardship this year. The House cut over \$1 billion in Stewardship programs in order to underscore their discontent with security at the Department of Energy. Had this \$1 billion cut been enacted, the Science Based Stockpile Stewardship program would have been so severely underfunded that we would not have been able to guarantee the safety and reliability of our arsenal without testing. Cuts in key science programs forced by the House also severely hinder our ability to recruit necessary talent.

Dr. John Browne of Los Alamos underscored the dilemma last week when he stated: **I** am confident that a fully supported and sustained program will enable us to continue to maintain America's nuclear deterrent without nuclear testing. However, I am concerned about several trends that are reducing my confidence level each year. These include annual shortfalls in the planned budgets, increased numbers of findings in the stockpile that need resolution, an augmented workload beyond our original plans, and unfunded mandates that cut into the program.@

Dr. Browne also said he was **A**concerned about other significant disturbances this year in the stability of the support from the government, partially in response to concerns about espionage. This

has sent a mixed message to the Laboratory that will make it more difficult to carry out the Stewardship program. According to Dr. Browne, the task of recruiting and training the requisite talent is hindered by the current security climate at the laboratories.

I strongly believe that the establishment of a semi-independent agency for nuclear weapons activities will significantly enhance efforts to ensure the success of the Stockpile Stewardship Program. At the same time, this reorganization will require many months to accomplish. I ask my colleagues the following question: Should we make an international declaration regarding U.S. nuclear tests in the midst of a complete overhaul of the Department responsible for those weapons? I don't think so. Such an action would be premature.

Lastly, today we cannot clearly define the direction the world will take on nuclear issues. This concern speaks both for and against the Treaty. Treaty proponents believe that U.S. ratification and the Treaty's entry into force will curb proliferation. This Treaty, if fully implemented, would enhance our ability to detect nuclear tests and create a deterrent to nations that may aspire to possess nuclear weapons capabilities.

However, this Treaty is not a silver bullet. The Administration has touted it as such. This Treaty is only one measure of many that should comprise a solid non-proliferation agenda. For example, this Treaty would be acceptable if accompanied by substantive bilateral commitments with Russia and multilateral commitments among the declared nuclear powers. A framework for international disarmament, non-proliferation, and stability may very well include a Test Ban Treaty, but it should also be accompanied by binding commitments on future disarmament objectives, such as the Fissile Materials Cutoff Regime, and the Anti-Ballistic Missile Treaty.

We have only one Treaty -- one facet of a complex picture -- before us today. It may contribute to achieving other disarmament objectives, but we are being asked to wager our nuclear deterrent on the hope that formal commitments from other nuclear powers and threshold states will be forthcoming. We sign on the dotted line that we will not utilize testing to maintain our stockpile, and we plead with the world to follow suit.

Or we reject the Treaty now and eliminate others=potential hesitation regarding future tests.

Only twenty-three of the forty-four nations required for the Treaty's entry into force have ratified it. India, Pakistan, North Korea, Russia and China have not ratified it. Neither India nor Pakistan have even signed the treaty.

We should not rush to vote on this matter.

Regardless of the vote count, we risk either permanent damage to our non-proliferation objectives or the safety and reliability of the U.S. nuclear arsenal. Continuing our moratorium on nuclear testing and not acting on this Treaty is the best course of action for now.

We have time. Time to observe international changes and formulate a nuclear posture suitable for a new era. Time to evaluate the future of our bilateral relations with Russia and China. And time to first ensure the success of Stockpile Stewardship.

U.S. ratification would provide a positive signal and increase our leverage at the negotiating table in our pursuit of many non-proliferation objectives. If the Senate does not ratify this Treaty, which appears highly likely at the present, many of our current foreign policy initiatives will unravel.

Most importantly, a negative vote on the CTBT will further erode the Nuclear Non-Proliferation Treaty (NPT) itself. We secured indefinite extension of the NPT in 1995 by committing to lead negotiations, sign and ratify the Test Ban Treaty. There is an explicit link between our Article VI commitments to disarm and the CTBT.

Many other steps could be taken to demonstrate a good faith effort toward nuclear disarmament. The Test Ban Treaty is just one element of a comprehensive strategy to reduce nuclear dangers. The U.S. and Russia have already radically reduced stockpiles from their Cold War levels. Progress has been made in the negotiations for a fissile materials cutoff regime. Currently, all of the declared nuclear powers have a moratorium on testing, and two of those, Britain and France, have signed and ratified the Test Ban Treaty.

If the Senate votes against this Treaty, we will send the signal to the world that the U.S. has no intent to make good on its earlier commitments. START II will wither in the Duma; negotiations with Russia on START III and the Anti-Ballistic Missile Treaty will most likely falter. We would most likely witness a rash of nuclear tests in response.

Killing this Treaty would inevitably also impact upcoming elections in Russia. To the Russians our actions in Kosovo underscored NATO's willingness to engage in out-of-area operations, even in violation of sovereignty. Anti-U.S. sentiments in Russia soared. Not only would a down vote on this Treaty play into the hands of the Communists and Nationalists, U.S. actions would essentially give Russia the go-ahead to begin testing a new generation of tactical nuclear weapons to secure its border against NATO.

We risk little by postponing consideration of this Treaty. We put our most vital security interests at stake by rushing to judgement on it.

In sum, defeat of this Treaty at this point will have a devastating impact on numerous current foreign policy initiatives that are clearly in the U.S. national interest. We can anticipate an unraveling of initiatives toward bilateral disarmament with Russia, and we will forfeit any remaining hope of preventing a nuclear arms race between India and Pakistan. We will open wide the door for China to proceed with tests to validate any nuclear designs based on the alleged stolen W-88 blueprints.

At the same time, Stockpile Stewardship is as yet unproven. We still do not fully understand the aging effects on our nuclear arsenal. Such aging effects relate both to the components which comprise the nuclear weapons and the scientific experts who initially designed and tested them. Also, as witnessed again this year, the budget for the full implementation of Stockpile Stewardship is anything but secure. In light of the current situation, ratification of this Treaty may put us at risk.

The timing of this debate is such that I have to weigh very carefully between the negative impact of this Treaty's possible defeat and the annual budgetary struggles for Stockpile Stewardship in combination with the scientific community's own doubts about the Stockpile Stewardship program.

We should maintain the moratorium on testing and postpone the vote on this matter.

It is irresponsible and dangerous to proceed now with the debate and vote on this Treaty. We have nothing to lose by maintaining our current status of a unilateral moratorium and having signed but not yet ratified the Test Ban Treaty. But we have everything to lose regardless of the outcome of this vote.

